

CITY OF SAN DIEGO
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COUNCILMEMBER
DONNA FRYE

DATE: November 17, 2004

TO: Councilmember Donna Frye, Council District Six

FROM: Mario X. Sierra, Deputy Director, Street Division

SUBJECT: Balboa Avenue Weed and Debris Abatement

This is in response to your memorandum to the City Manager dated October 27, 2004, asking to clarify which Department is responsible for clearing/cutting overgrown weeds and excessive trash on the north side of Balboa Avenue between Mount Everest and Clairemont.

General Services Department, Street Division enforces weed/vegetation encroachments within the street right-of-way by requesting the adjacent property owners maintain the weed/vegetation in a manner to provide for the free passage of pedestrian/vehicular traffic, in accordance to San Diego Municipal Code, Sec.54.0208 (b). This code states that it is unlawful for a responsible person whose premises abut any portion of a public street or parking strip to fail to maintain any public walkway thereon in a condition free from waste, weeds, and other plant growth. Additionally, Sec.85.07 states: Whenever the City Manager finds that any hedge, shrubbery, tree, or other foliage obstructs the view of any intersection of any traffic upon streets approaching an intersection, or the view of any traffic signal or traffic control device, he shall cause the hedge, shrubbery, tree or foliage to be immediately removed or trimmed so as to permit visibility of such intersection, traffic signal, or traffic control device.

If the area is determined to be a hazard, and the adjacent property owner does not clear the weeds/vegetation, Street Division will clear the area. Street Division may forward the cost to clear the area to the adjacent property owner. Trash and debris intermingled with the weeds/vegetation will also be removed. Additionally, Street Division utilizes a street sweeper to remove scattered litter from within the street right-of-way along Balboa Avenue, including center medians.

The Environmental Services Department, Waste Reduction & Enforcement Division (WRED) is responsible for removal of litter/debris from the undeveloped street right-of-way (the area ten feet back from the curbing) along Balboa Avenue between Mount Everest Blvd. and Clairemont Drive. WRED has placed this area on its Hot Spot list and it is automatically cleaned by a Field Operations crew once a month.

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Any litter/debris found beyond the undeveloped street right-of-way is the responsibility of the adjacent property owner.



Mario X. Sierra

PS:la

cc: Richard Mendes, Deputy City Manager
Larry Gardner, Director, General Services Department
Elmer Heap, Director, Environmental Services Department
Kip Sturdevan, Acting Deputy Director, Waste Reduction & Enforcement Division
Judy Stone, Executive Assistant to the City Manager
Pedro Sandoval, Public Works Superintendent, Street Division

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